

**IN THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
ORIGINAL APPLICATION NO. 42 OF 2025**

In the matter between:

Go Green Foundation Trust & Anr. ...Applicants

Versus

Union of India – MoEFCC & Ors. ...Respondents

INDEX

Sr. No.	Exhibits	Particulars	Page Nos.
1.		Objections to the Joint Committee Report dated 4 th February 2026 on behalf of Respondent No.6.	420-437
2.	A	Copies of OM dated 5 th May 2022 and OM dated 10 th September 2025	438-441
3.	B	Copy of the SCN dated 16 th February 2026 and Reply to SCN dated 21 st February 2026	442-444
4.	C	Copy of the Visit Report dated 22 nd April 2026	445-446
		Last Page	446

Mumbai:

Dated: 6th June 2026



Advocates for Respondent No.6



**IN THE HON'BLE NATIONAL GREEN TRIBUNAL
WESTERN ZONE BENCH, PUNE
ORIGINAL APPLICATION NO. 42 OF 2025**

In the matter between:

Go Green Foundation Trust & Anr.	...Applicants
Versus	
Union of India – MoEFCC & Ors.	...Respondents

OBJECTIONS TO THE JOINT COMMITTEE REPORT DATED

4th FEBRUARY 2026 ON BEHALF OF RESPONDENT NO. 6:

I, Tabrez Shafi Ahmed Shaikh, aged 48 years, the Director of the Respondent No. 6, having office address at Rubberwala House, Dr. A.R. Nair Road, Agripada, Mumbai – 400 011, do hereby solemnly affirm and state as under:

1. I am the Authorized Signatory of Respondent No. 6, having my address as mentioned above and I am competent, authorized, and able to depose the present Affidavit. I have perused and made myself conversant with the contents and record pertaining to the present Application and I am otherwise aware of the facts and circumstances

of the present case from personal knowledge as also office records and thus, competent to depose the same. I say that I am filing the present Affidavit to object to the Joint Committee Report dated 4th February 2026 (“**JTC Report**”) filed in the captioned matter for the purpose of opposing the reliefs as sought for by the Applicant as against Respondent No. 6. I crave leave to file a further detailed affidavit/additional affidavit along with supporting documents if the circumstances so warrant. For the reasons hereinbelow, the Joint Committee Report may not be taken into consideration.

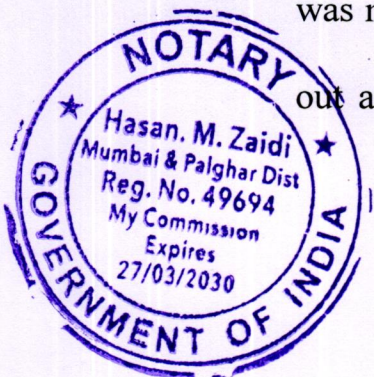
2. At the outset, I deny each and every finding made in the JTC Report which is contrary to and/or inconsistent with that which is stated in the present Affidavit and humbly submit that nothing contained in the JTC Report shall be deemed to have been admitted by or on behalf of Respondent No. 6, merely for want of specific traverse. I clarify and submit that the averments made herein are in the alternative and without prejudice to one another. I also repeat, reiterate and confirm all that is stated in the Interim Application No. 21 of 2026 and Affidavit in Reply dated 4th February 2026 filed in the captioned original application and the same be treated as forming part thereof.



3. I say that the Applicant, by way of the captioned original application *inter alia* challenging the construction of the project being “The Platinum” on part of the property situated at CTS No. 990 at 243-G, Pathe Bapurao Marg (Falkland Road), Girgaon Division, ‘D’ Ward, Mumbai – 400 004, Maharashtra (“**said project**”).
4. I say that on 4th February 2026, the Joint Committee comprising of representatives of SEIAA and MPCB submitted the JTC Report in the captioned original application. I say that on a plain reading of the JTC Report, it is evident that the same is misconceived and erroneous for the reasons more particularly set out hereinbelow:

5. COMPOSITION OF COMMITTEE

5.1 I say that on 25th August 2025, this Hon’ble Tribunal constituted a joint committee comprising of one member each of State Environmental Impact Assessment Authority (SEIAA) and Maharashtra Pollution Control Board (MPCB) of which MPCB was made nodal agency and directed the Joint Committee to carry out a site visit and submit a report with respect to violations as



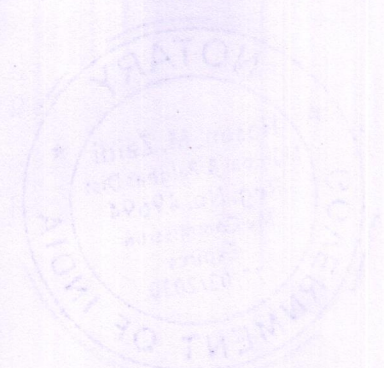
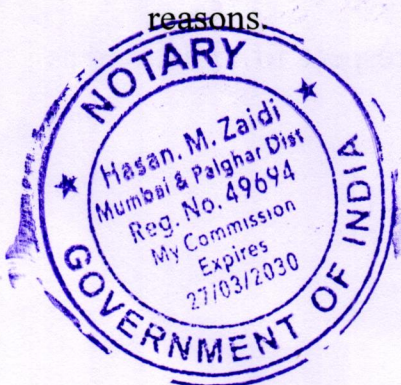
alleged in the captioned matter. The said joint committee was constituted without any notice or appearance of Respondent No. 6.

5.2 I say that SEIAA and MPCB who are appointed as members of the joint committee are impleaded as Respondent No. 3 and 4 respectively in the captioned matter. It is submitted that a party Respondent cannot be a party of the Expert Committee constituted for the purpose of analysing the subject matter as it has a direct bearing on the outcome of the proceedings. Hence, for this reason, the JTC Report ought to be discarded as bad in law and set aside.

6. JTC REPORT IS VAGUE AND WITHOUT SUBSTANCE

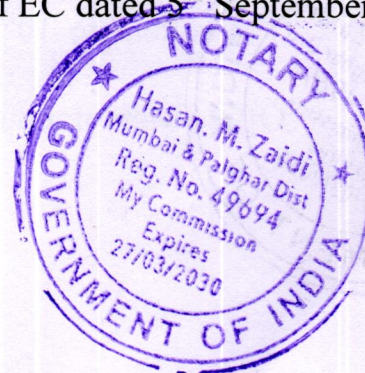
I say that as per directions of this Hon'ble Tribunal *vide* Order dated 25th August 2025, on 3rd November 2025, the Joint Committee carried out a site visit of the said project. The Joint Committee has given its observations and findings on the basis of the allegations raised in the captioned Original Application which are vague and baseless and ought to be set aside for the following

reasons.



6.1 Observations qua construction of basement:

- a) I say that the JTC has verbatim listed out the allegations made in the captioned original application without going into the particulars of the same. The Committee has come to the conclusion that work of 3 basements have been carried out by the present Respondent No. 6 prior to grant of expansion in environmental clearance dated 18th September 2018 and the Committee has arrived at the aforesaid conclusion by solely relying on google images of May 2018 to say that the basements have been constructed up to ground level. At the outset, it is submitted that satellite/google images are not completely reliable and need to be backed and corroborated by other evidence as these images may not reveal the true picture. I say that mere reliance of google image of May 2018 cannot be said to be a substantive or verifiable evidence to conclude that there was violation of EC conditions by Respondent No. 6 or that there was illegal construction of basement before amendment of EC dated 5th September 2014.



b) I say that on 5th September 2014, Respondent No. 6 was granted prior EC for construction of the said project. I say that thereafter, there was change in building configuration as per approved plans issued by MCGM including change in the number of basements due to change in parking requirements. It is submitted that the aforesaid change was in accordance with the relevant building permissions and there is no change in scope of the said project which would require a fresh appraisal or amendment in the EC.

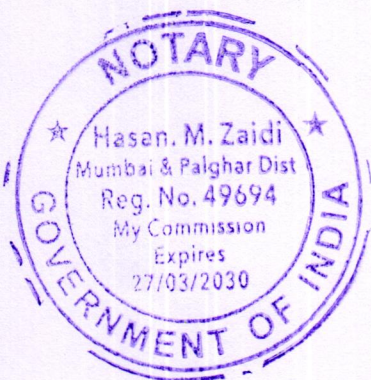
c) I say that on 5th May 2022, Respondent No. 1 – MoEF & CC has *vide* Office Memorandum clarified that no amendment to a prior EC is required for any addition, alteration, modification in the conceptual plan of a project, unless it results in increase in pollution of any type beyond approved levels and as long there is no change in BUA, FAR, change in exterior spaces/ green belts, parking, walkways and driveways including attics and outdoor sports courts, etc.

Thereafter, on 10th September 2025, MoEF&CC issued an Office Memorandum whereby amending para 5 of earlier OM



dated 5th May 2022 clarifying that any change in configuration/ planning/design of the appraised building project for which EC was granted shall not require amendment in EC, provided there is no increase in: (i) BUA, (ii) total excavation of earth, (iii) height of the building, and (iv) water consumption/ sewage generation/ waste generation; so as not to require any changes in the already approved Environmental Impact Assessment (EIA) and Environmental Management Plan (EMP). Further there shall be no reduction in the exterior open spaces/ green belts and no change in the designated use of the building. Hereto annexed and marked as "Exhibit-A" are copies of OM dated 5th May 2022 and OM dated 10th September 2025.

- d) I say that Respondent No. 6, accordingly, made an application for amendment of prior EC dated 5th September 2024 when there was increase in one wing and retail area, increase in BUA areas as per FSI area due to certain additions as per Regulation 33(24) of DCR 1991, increase in total construction BUA, etc. After due consideration, on 18th



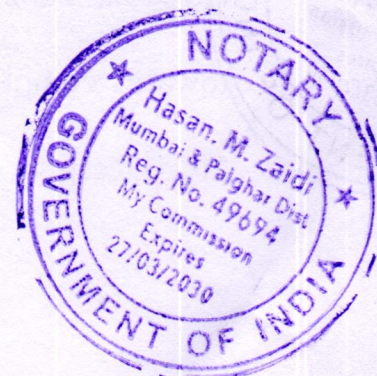
September 2018, the amendment EC was granted for the said project. It is pertinent to note that it was categorically recorded by SEAC-II that all issues relating to environment, including air, water, soil, ecology, biodiversity and social aspects were thoroughly examined by the authority. I say that all concerned authorities in their wisdom and expertise have duly granted the requisite permissions, including ECs for the said project after deliberation of relevant documents and permissions and there is no infirmity with respect to the same. Therefore, the construction of basement of the said project is strictly in accordance with law and there is no infirmity with respect to the same.

- e) It is also pertinent to note that the EC dated 5th September 2014, or 18th September 2018 has never been challenged in any court of law, and the said ECs have been superseded by EC dated 5th August 2021 which is valid and subsisting.



6.2 Observations qua CTE and CTO

- a) I say that the Joint Committee in its JTC Report has considered the allegation of the present Applicant that purportedly there are gaps in the revalidation of Consent to Establish (CTE) and Consent to Operate (CTO) and has observed that without considering the fact that application for revalidation of both CTE and CTO are in process and penal charges shall be levied accordingly as the application for revalidation was not made in time.
- b) I say that the Joint Committee has relied on the period of violation calculated by the present Applicant which is incorrect and without any basis as the revalidated CTE was issued on 7th May 2022 and not on 5th July 2022 as alleged and therefore, the gap of 715 days as alleged by the Applicant is erroneous and has to be discarded. The Joint Committee has failed to make any observations with respect to the same.



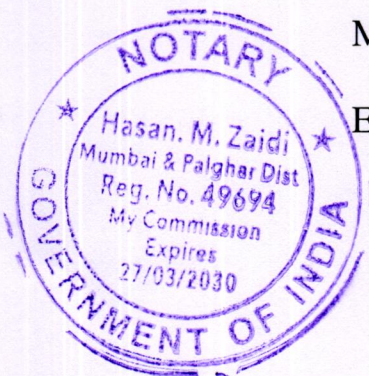
c) I say that the revalidated CTE was issued on 7th May 2022 after due deliberation by Respondent No. 4-MPCB and after payment of the requisite consent fee and submission of bank guarantees and also after taking into consideration the period of coronavirus pandemic. It is pertinent to note that Respondent No. 6 had duly informed the authority that there was delay as they were in the process of obtaining expansion of EC as well as due to the disruptions caused by coronavirus pandemic and after considering the same, Respondent No. 4-MPCB has granted the revalidated CTE. On 13th September 2025, Respondent No. 6 made an application for revalidation of CTE which is currently pending before Respondent No. 4-MPCB and the same has been observed by the Joint Committee.

d) Similarly, Respondent No. 6 obtained Consent to Operate (CTO) for the said project on 15th July 2021 and Respondent No. 6 has submitted requisite bank guarantees and payments towards compliance of consent conditions. On 11th October 2025, Respondent No. 6 applied for revalidation of CTO and



the same is pending before Respondent No. 4-MPCB and the same has been observed by the Joint

- e) I say that on 16th February 2026, Respondent No. 4-MPCB issued Show Cause Notice to Respondent No. 6. On 21st February 2026, Respondent No. 6 replied to the aforesaid Show Cause Notice dated 16th February 2026. Hereto annexed and marked as "**Exhibit-B**" is copy of the SCN dated 16th February 2026 and Reply to SCN dated 21st February 2026.
- f) I say that Respondent No.4-MPCB, in its Visit Report dated 22nd April 2026, recorded that no construction activity was being carried out at the project site. The MPCB further noted that Respondent No. 6 had furnished E-Bank Guarantees of Rs. 10,00,000/-, Rs. 2,00,000/-, and Rs. 26,60,000/- on 7th November 2025 and 17th December 2025 in compliance with the conditions of the Consent to Establish. Respondent No.4-MPCB further recorded that Respondent No. 6 had furnished E-Bank Guarantees of Rs. 10,00,000/- and Rs. 2,00,000/- on

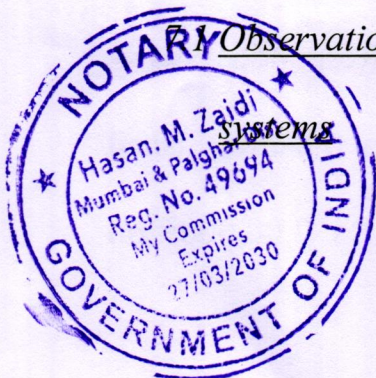


7th November 2025 in compliance with the conditions of the Consent to Operate. Hereto annexed and marked as **“Exhibit-C”** is a copy of the Visit Report dated 22nd April 2026.

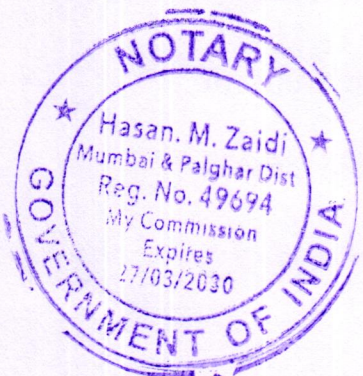
g) I say that at no point was there any deliberate or intentional delay on the part of Respondent No. 6 in obtaining the requisite consent and the same occurred solely on account of the extraordinary circumstances prevailing during the COVID-19 pandemic as well as disruptions in administrative processes, regulatory functioning, and project-related activities beyond the control of Respondent No. 6. I say that Respondent No. 6 has acted *bona fide* and has at all points taken all necessary steps to ensure compliance of directions of the concerned authorities.

7. OTHER OBSERVATIONS MADE BY THE JOINT COMMITTEE:

Observations as regards STP, OWC, RWH, Tree Plantation, solar



- a) The Joint Committee has observed that at the time of the Committee's site visit on 3rd November 2025, STP and OWC were not in operation, Solar systems, RWH and tree plantation was not provided for the said project.
- b) I say that Respondent No. 6 has installed Sewage Treatment Plant (STP) and Organic Waste Converter (OWC) for the said project as duly noted by the Joint Committee and both STP and OWC are fully functional and operation and the same was duly informed to Respondent No. 4-MPCB vide Letter dated 23rd December 2025 (*annexed as Exhibit-F/Pg.293 of Affidavit in Reply dated 4th February 2026*).
- c) I say that, as recorded in the Respondent No.4-MPCB Visit Report dated 22nd April 2026, the Sewage Treatment Plant (STP) having a capacity of 290 CMD based on MBBR technology was found to be operational at the project site. I say that Respondent No. 6 has undertaken the plantation in compliance with the applicable norms. OWC was also found to be in operation. The MPCB further observed that the

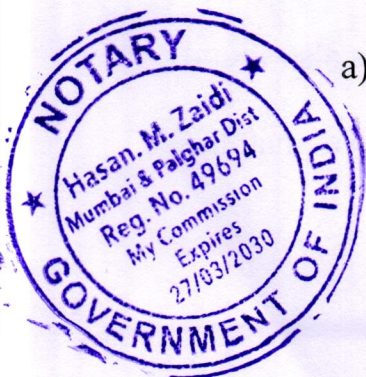


solar system work had not been undertaken as the project is yet to be completed and construction activities have remained suspended pursuant to the stop-work directions issued by the concerned authorities.

- d) I say that as regards provision for Rain Water Harvesting (RWH), the location of the same was adjacent to Manual Material Handling (MMH) for construction of remaining portion of the said project due to which the said RWH could not be constructed is in progress on the project site but due to Manual Material Handling (MMH) for construction of remaining portion of the said project which is adjacent to the RWH, the said RWH could not be operated. Respondent No. 6 has, accordingly, shifted the MMH temporarily in order to complete the construction of RWH tank and the said project.

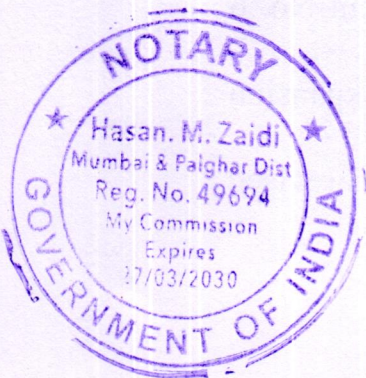
7.2 Other observations:

- a) The Joint Committee has observed that no bore wells or ground water extraction was observed for the said project



and Respondent No. 2-CGWA has in its Affidavit in Reply dated 29th January 2026, stated that Respondent No. 6 is not abstracting groundwater and no borewell or other groundwater abstraction structure exists on the project site.

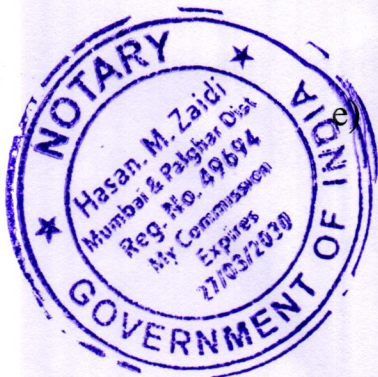
- b) The Joint Committee has observed that as regards RG area on ground, the issue is *sub judice* before the Hon'ble Supreme Court. In any event, it is submitted that Respondent No. 6 shall develop some portion of RG area as per applicable laws and the remaining RG area shall be developed once the pending construction and associated works of the said project are completed as undertaking the development of the entire RG area at this stage would pose a significant risk of damage to the completed works due to the continued movement of machinery, materials, and construction personnel within the site.
- c) As regards the allegations of no easy access of fire tender movement, the Mumbai Fire Brigade, Brihan Mumbai Mahanagar Palika *vide* its letter dated 20th January 2026



(annexed as Annexure-II/ Pg No. 245 of JTC Report dated 4th February 2026) has clarified that there is access for fire tender movement as per applicable laws and refuge area has also been provided in the said project. Fire NoC dated 28th December 2020 has also been granted to Respondent No. 6 for the said project.

d) I say that, prior to the COVID-19 pandemic, Respondent No. 6 had consistently submitted all Six-Monthly Compliance Reports within the prescribed timelines. However, during and immediately following the pandemic, administrative disruptions arising from remote working arrangements and changes in key personnel responsible for environmental compliance resulted in an inadvertent lapse in the submission of certain reports. Pursuant to which Respondent No.6 has been regularly submitting the Six-Monthly Compliance Reports.

I further say that during the said period, Respondent No. 6 was also in the process of obtaining Expansion Environmental Clearance, Consent to Operate, and revised



Consent to Establish. As the issue of non-submission of the compliance reports was not raised by the concerned authorities during the processing of the aforesaid applications, the omission remained unnoticed. Upon becoming aware of the same, Respondent No. 6 promptly resumed the submission of the requisite reports and continues to remain committed to full regulatory compliance.

8. In the aforesaid facts and circumstances, Respondent No. 6 submits that the Joint Committee Report dated 4th February 2026 ought to be discarded in so far as it is contrary to the submissions of the present Respondent No. 6.

Solemnly affirmed at Mumbai)

This 6th day of June 2026)

Advocates for Respondent No. 6.



[Handwritten signature]

DEPONENT

BEFORE ME



VERIFICATION

I, Tabrez Shafi Ahmed Shaikh, aged 48 years, the Director of the Respondent No. 6, having office address at Rubberwala House, Dr. A.R. Nair Road, Agripada, Mumbai – 400 011, do hereby solemnly declare that what is stated in Paragraphs 1 to 7 are true to my own knowledge, information and belief, and I believe the same to be true.

Solemnly declared at Mumbai)

This 6 JUN 2026 day of June 2026)



DEPONENT

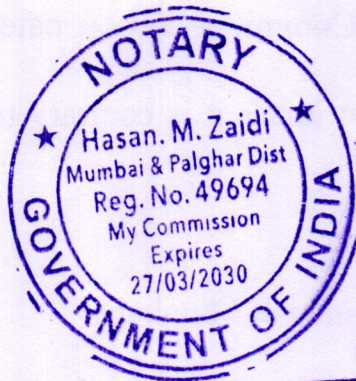
BEFORE ME

HASAN. M. ZAIDI
NOTARY
Government of India
Mumbai & Palghar Dist.

6 JUN 2026

NOTED & REGISTERED
Sr. No. 1561 Page No. 72
Book No. 07 Date

6 JUN 2026



F. No. IA3-22/10/2022-IA.III

Government of India

Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan
Aliganj, Jorbagh Road
New Delhi-110 003
Dated 5th May, 2022

OFFICE MEMORANDUM

Sub.: Clarification with regard to non-requirement of EC amendment due to change in conceptual plan arising out of statutory requirements in building and construction sector- regarding.

The EIA Notification 2006 as amended from time to time states that the construction of new projects or activities or the expansion or modernization of existing projects or activities listed in the Schedule to the notification entailing capacity addition with change in process and or technology shall be undertaken in any part of India only after prior environmental clearance.

2. Building or Construction projects or Area Development projects and Townships are covered under the schedule 8 of the above Notification and require prior Environmental Clearance (EC) from the State Environment Impact Assessment Authority (SEIAA) for projects with built up area of 20,000 sq. mts., and above.
3. The projects under Schedule 8 of the Notification are appraised for the grant of EC, based on the building plan, which may undergo further changes necessitated because of local site conditions before the final building/construction/ township/ area development project is undertaken by the project proponent.
4. The Ministry is in receipt of representations from various stakeholders requesting that amendment of prior EC for building construction/area development projects may not be insisted upon for minor changes in building projects at the time of execution/implementation of the project so long as they do not adversely impact the environment and are within the scope of already approved Environmental Management Plan.
5. Accordingly, matter has been examined and it has been decided that any change in configuration/planning/design of the appraised building Project for which EC was granted shall not require amendment of EC, subject to no change in (i) Built Up Area (ii) Floor Area Ratio (FAR) (iii) change in exterior spaces/green belts, parking, walkways and driveways that are covered including attics and outdoor sports courts. Further there shall be no change in the designated use of the building, number of

dwelling units, height of the building, number of floors & basements and total excavation of earth of the building/construction/ township/ area development project so as not to require any changes in the already approved Environmental Impact Analysis (EIA) and Environmental Management Plan (EMP).

6. The above dispensation shall be applicable subject to the Project Proponent filing an application in prescribed format on PARIVESH portal and obtaining a self-generated acknowledgement to this effect from the portal.

7. Any addition, alteration, modification in the conceptual plan, as stated at para-6 of the EIA Notification 2006, for which prior EC was granted other than the changes falling under the category of permissible changes as explained in para 5 above which results in the increase in pollution of any type beyond the approved levels necessitating fresh EIA/EMP shall be treated as Violation and shall be dealt with accordingly as per the provisions of the Office Memorandum dated 7th July 2021.

8. This issues with the approval of the Competent Authority.

Ashish
05.05.2022

(Dr. Ashish Kumar)
Additional Director

To

1. Chairman/Member Secretary, Central Pollution Control Board
2. Chairman/ Member Secretaries of all Expert Appraisal Committees
3. Chairperson/Member Secretaries of all SEIAAs/SEACs
4. Chairmen/Member Secretaries, all PCBs and PCCs
5. All Officers of IA Division, MoEF&CC

Copy to

1. PS to Hon'ble MEFCC
2. PS to Hon'ble MoS (EF&CC)
3. PPS to Secretary (EF&CC)
4. PPS to AS (TK)/AS(NPG)
5. PPS to JS (SKB)
6. Website, MoEF&CC
7. Guard file

F. No. IA3-22/10/2022-IA.III [E177258]
Government of India
Ministry of Environment, Forest and Climate Change
(Impact Assessment Division)

Indira Paryavaran Bhawan,
Aliganj, Jorbagh Road
New Delhi-110 003

Dated: 10th September, 2025

OFFICE MEMORANDUM

Sub.: Clarification with regard to non-requirement of EC amendment due to change in conceptual plan arising out of statutory requirements in building and construction sector- regarding.

The Ministry vide Office Memorandum (OM) of even number dated 05.05.2022, inter-alia, clarified that any change in configuration/planning/design of the appraised building project for which EC was granted shall not require amendment of EC, subject to no change in (i) Built Up Area (ii) Floor Area Ratio (FAR) (iii) change in exterior spaces /green belts, parking, walkways and driveways that are covered including attics and outdoor sports courts. Further there shall be no change in the designated use of the building, number of dwelling units, height of the building, number of floors & basements and total excavation of earth of the building/construction/ township/ area development project so as not to require any changes in the already approved Environmental Impact Analysis (EIA) and Environmental Management Plan (EMP).

2. The Ministry has received representation to allow design changes involving decrease in Built-up Area resulting in no negative impact on environment, without the requirement of amending the prior EC granted to the building project.

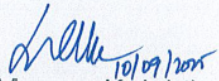
3. The matter has been examined and the same was referred to the Expert Advisory Committee for deliberation. The Committee examined the matter and after due deliberation was of the opinion that the words **no change in Built Up Area, Floor Area Ratio (FAR)** may be re-worded **as no increase in Built Up Area, Floor Area Ratio so that building projects which reduce their Built Up Area, Floor Area Ratio subject to no increase in pollution load may not be required to seek EC amendment.**

4. In this regard, based on the recommendations of the Expert Advisory Committee the Ministry hereby substitutes para 5 of the of the OM dated 05.05.2022 as below:

5. *Accordingly, matter has been examined and it has been decided that any change in configuration/planning/design of the appraised building Project for*

which EC was granted shall not require amendment in EC, provided there is no increase in: (i) Built Up Area as defined in the EIA Notification (ii) Total excavation of earth (iii) Height of the building, and (iv) Water consumption/ Sewage generation/ Waste generation; so as not to require any changes in the already approved Environmental Impact Assessment (EIA) and Environmental Management Plan (EMP). Further there shall be no reduction in the exterior open spaces/green belts and no change in the designated use of the building.

5. All the other provisions of the OM dated 05.05.2022 shall remain unchanged.
6. This is issued with the approval of the Competent Authority.


(Dr. J. D. Marcus Knight)
Scientist E

To

1. Chairman/Member Secretary, Central Pollution Control Board
2. Chairman/ Member Secretaries of all Expert Appraisal Committees
3. Chairperson/Member Secretaries of all SEIAAS/SEACS
4. Chairmen/Member Secretaries, all PCBs and PCCs
5. All Officers of IA Division, MoEF&CC

Copy to

1. PS to Hon'ble MEFCC
2. PS to Hon'ble MoS (EF&CC)
3. PPS to Secretary (EF&CC)
4. PPS to AS (AG)
5. PPS to JS (RA)
6. Website, MoEF&CC
7. Guard file

MAHARASHTRA POLLUTION CONTROL BOARD 442

Tel: 24010437/24020781/24014701

Fax: 24024068 / 24023515

Website: <http://mpcb.gov.in>

E-mail: jdwater@mpcb.gov.in



Kalpataru Point, 2nd - 4th Floor

Opp. Cine Planet Cinema

Near Sion Circle, Sion (E)

Mumbai-400 022.

"Exhibit-B"

"Your Service is our Duty"

No.BO/JD(WPC)/SCN/TB- 2602160026

Date: 16/02/2026

To,
M/s. RUBBERWALA HOUSING & INFRASTRUCTURE LTD ,
C.S. No. 990 situated at 243-G Patthe Bapurao Marg (Falkland Road),
at Girgaon, Division 'D' ward, Mumbai.

Sub: - Show Cause Notice for refusal of Consent towards applied for Renewal of Consent.

**Ref: -1] Your application for Renewal of Consent having UAN No-0000263535
2] Minutes of 13th CC meeting dtd-29.01.2026.**

WHEREAS, you have applied for Renewal of Consent Under Section 26 of the Water (Prevention and Control of Pollution) Act, 1974; under Section 21 of the Air (Prevention and Control of Pollution) Act, 1981 and Hazardous & Other Wastes (M & T M) Rules 2016.

Your case was discussed in 13th CC meeting dtd-29.01.2026, and it was decided to issue Show Cause Notice for following non compliances.

1. 12 % interest is applicable towards late submission of B.G's. towards Consent to establish and consent to operate.
2. You have not submitted violation B.G. of 10.09 imposed in issued consent to operate.
3. Your earlier Obtained consent to establish and earlier obtained consent to operate is invalid and not applied within time hence penal is applicable.
4. SRO reported that Go green foundation trust & anr has filed case (original application no.42/2025(WZ) into Hon'ble NGT (WZ) Bench , Pune vrs. Union India & Ors & same matter under prejudice. MPC Board has issued stop work order to said project on 20.10.2025

NOW THEREFORE, you are hereby directed to show cause as to why your application for grant of Consent should not be refused under the provisions of Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 And Hazardous & Other Wastes (M & T M) Rules, 2016.

You are hereby called upon to submit your reply to this notice within a period **Seven days** from the receipt of this communication, failing which, Board have no option than to refuse your Consent as mentioned above and to initiate appropriate legal action under the provision of the Water (Prevention & Control of Pollution) Act, 1974 and Air (Prevention & Control of Pollution) Act, 1981 against you, which may please be noted.


Jagannath Salunkhe
Joint Director (WPC)

Copy to-

1. Regional Officer MPCB Mumbai, Sub Regional Officer Mumbai-I- They are directed to submit the present status report of the industry within 7 days and ensure that SCN to be served to the industry.



RUBBERWALA
building dreams

Date: 21/02/2026

To,
Jagannath salunkhe Sir, J.D(WPC) - Mumbai,
Maharashtra Pollution Control Board,
Kalpataru Point, 3rd floor, Opp. PVR Theatre, Sion (E),
Mumbai-400022, Maharashtra

Ref.	SCN No. BO/JD(WPC)/SCN/TB-2602160026 dated 16/02/2026
Subject	Reply letter against Show Cause Notice for CTO renewal of M/s. RUBBERWALA HOUSING & INFRASTRUCTURE LTD (Residential Re -Development Construction Project) C.S. No. 990 situated at 243-G, Patthe Bapurao Marg (Falkland Road) at Girgaon, Division 'D' ward, Mumbai.

Respected Sir,

With reference to the above mentioned subject, we are giving you the details against your scrutiny letter received through MPCB web Portal for ready ref.:

Points, Observations and Remarks	Reply
12% Interest is applicable towards late submission of BG's towards Consent to Established and Consent to operate.	As we have submitted Following Bank Guarantees: 1. Rs. 10 Lakh for Consent to Establish 2. Rs. 2 Lakh for Consent to Establish 3. Rs. 26.60 Lakh for Consent to Establish 4. Rs. 10 Lakh for Consent to Operate 5. Rs. 2 Lakh for Consent to Operate We kindly request you to grant a waiver of the 12% interest charges. Also we are requesting that not to forfeit the bank guarantee of Rs. 26.60 lakh, We assure you that in future we will submit all the required Bank Guarantees within the time period prescribed under the consent conditions. We are committed to complying with all the stipulated requirements within the specified timeline. We request your kind consideration in this matter.
You have not submitted Violation BG of 10.09 imposed in issue consent to operate	At the time of scrutiny for Consent to Establishment, we had submitted a letter stating that We were in the process of EC expansion and at same time Covid-19 affects lot of distrubances so it get delayed after the Revised EC we immediately applied for C2E Revalidation as per EC expansion. We have submitted another fresh E-BG No. 0409IGP004404025 (MPCB-BG-0000041278) of Rs. 2660000 to MPCB Towards violation as mentioned in CTE for same purpose. Enclosed – reply letter

J. Salunkhe
21/02/26
Maharashtra Pollution Control Board
Kalpataru Point, 2nd Floor, Sion Circle,
Opp. Cine Planet, Sion (East),
Mumbai - 400 022.
Tel. 24010437 / 24020781.
Website: www.mpcb.gov.in

Rubberwala Group of Companies

Rubberwala House, Dr. Nair Road, Agripada, Mumbai - 400 011 | Phone : 022-4801 4947 | info@rubberwala.com | www.rubberwala.com

<p>Your Earlier obtained Consent to Establish and earlier obtained Consent to operate is invalid & not applied within time hence penal is applicable.</p>	<p>We will pay late fee charges for delay in submission of application for CTE & CTO to MPCB.</p>
<p>SRO reported that Go green foundation trust & anr has filed case (original application no.42/2025(WZ) into Hon'ble NGT (WZ) Bench, Pune vrs. Union India & Ors & same matter under prejudice. MPC Board has issued stop work order to said project on 20.10.2025</p>	<p>We would like to inform you that we submitted our reply to the MPC Board on 23.12.2025. We would also like to state that no construction activity is being carried out at the site. Enclosed-Reply Letter</p>

Taking consideration of above mentioned all information issue us consent to operate renewal as early as possible.

We now request you to do the needful.

Thanking you, Yours faithfully.

For - Rubberwala Housing & Infrastructure Ltd.

TABREZ
SHAFI
AHMED
SHAIKH

Digitally signed by: TABREZ
SHAFI AHMED (SHAFI)
DN: CN = TABREZ SHAFI
AHMED (SHAFI) email =
tabrez@rubberwala.com C =
IN O = Personal
Date: 2026.02.24 12:20:23 +
05'30'

Authorized Signatory

Encl. - As above

MAHARASHTRA POLLUTION CONTROL BOARD
Sub Regional Office, Mumbai-I

Tel. No.: 022-24010437
Fax No. 022-24020781
Visit us at : <http://mpcb.gov.in>
Email : sromumbai@mpcb.gov.in



"Your Service is our Duty"

Kalptaru Point 2nd floor,
Sion Matunga Scheme Road No. 8,
Opposite Sion Circle,
Sion (E),
Mumbai - 400 022.

Visit Report

Name & Address of Industry : M/S. Rubberwala Housing & Infrastructure Ltd,
C.S. No. 990 situated at 243-C1, Pathe
Bapurao Marg (Falkland Road) at. Chirgaon Div.
D' ward Mumbai. -

Date of Visit : 22/04/2026

Visited By- : Amind S. Dhapate (FO MPCB)

Contact Person- : Mr. Farooq Bhatkar
(Architect)

Contact No : 8169275583

Consent Status : COU & part operate 30.04.2022.

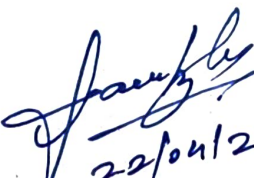
Observations : This is redevelopment building construction project obtained consent to establish for TPA of 4675.62 sqm & TBVA of 49299.88 sqm, valid up to 22.07.2025.


→ PP has applied for ~~renewal~~ revalidation of consent to establish vide UAN NO. 263339, same application was rejected on 18.04.2026.

→ PP has also applied for ^{Renewal of} part operate vide UAN NO. 283535, same application was rejected on 23/03/2026.

→ PP has not applied for consent to establish consent to part operate after rejection of applications

- Board office has issued stop work directions on 20.10.2025 for ongoing construction activity.
- During site inspection, observed that
 - construction activity was not found in operation
 - provided STP having capacity 290 CMD with MBBR technology found in operation.
 - Treated effluent used for flushing activity.
 - provided OWC at site found in operation.
- PP has submitted e-BU of Rs.10/-lakh, Rs.2/-lakh & Rs.26.60/-lakh. on 07/11/2025 & 17/12/2025. subsequently as per consent to establish.
- PP has also submit e-BU of Rs.10/-lakh & Rs.2/-lakh. on 7/11/2025 as per consent to operate.
- solar system work is not carried out because project is not completed & stop work order stated by representative.


22/04/2026
(Mr. Farooz Bhatkar)
Architect #


(A.S. Dhapate)
FO MPCB